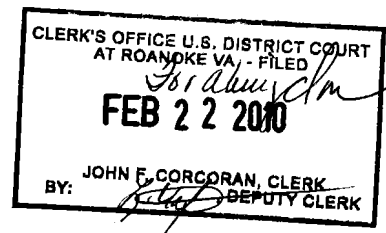


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION



JOHNATHAN S. HOLMES,

Plaintiff,

v.

VIRGINIA COMMUNITY COLLEGE
SYSTEM, VIRGINIA HIGHLANDS
COMMUNITY COLLEGE (together as
"VHCC"), et al

Defendants.


Civil Action No. 1:09CV00059

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Pamela Meade Sargent, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered, granting defendants' motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), and denying plaintiff's claim. Objections to the report and recommendation have not been filed, and the court, upon review of pertinent portions of the record, is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the defendants' motion to dismiss is **GRANTED** for the reasons stated in the report and recommendation, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This February 22, 2010.


UNITED STATES DISTRICT JUDGE